



NEWS RELEASE

*Office of the
United States Attorney
for the
District of Nebraska*
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July 24, 2009

United States Attorney Joe W. Stecher announced the federal Grand Jury for the District of Nebraska has returned a number of unsealed indictments. Indictments are charging documents that contain one or more individual counts that are merely accusations, and every defendant is presumed innocent unless and until proven guilty. If you need additional information on any of the following indictments, please telephone Joe Stecher, or in his absence, Criminal Chief, Jan Sharp, at (402) 661-3700.

- * **Esvin Orlando Calderon**, age 39, is charged with illegal reentry into the United States on or about June 1, 2009, following conviction for an aggravated felony. The maximum possible penalty is imprisonment 20 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.
- * **Evelia Castelan-Sanchez**, age 46, of Omaha, is charged in a two-count indictment. Count I charges Castelan-Sanchez with a false social security statement when on or about March 31, 2008, Castelan-Sanchez misused a social security number on an Immigration and Naturalization Service Form I-9 for the purpose of obtaining employment. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II of the indictment charges Castelan-Sanchez with aggravated identity theft on or about March 31, 2008. The penalty includes a mandatory minimum sentence of imprisonment for 2 years consecutive to any other term of imprisonment imposed on the first count of the indictment, a \$250,000 fine, 1 year of supervised release and a \$100 special assessment.

- * **Alberto Castro-Castillo**, age 26, also known as Alejandro Campos, is charged in an indictment alleging that on or about June 17, 2009, Castro-Castillo misused a Social Security Card and a Permanent Resident Card as evidence of lawful employment and authorized stay in the United States. The maximum possible penalty for this count includes imprisonment of 10 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.
- * **Arturo Chavez-Portillo**, age 38, is charged with illegal reentry into the United States on or about May 26, 2009, following deportation as a felon. The maximum possible penalty is imprisonment 10 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.
- * **Channon Crites**, age 47, of Sutton, Nebraska, is charged in the first count of a three-count indictment with receipt and distribution of child pornography from at least on or about May 30, 2008, and continuing to on or about October 7, 2008. If convicted, the maximum possible penalty includes imprisonment of not less than 5 years or more than 15 years, a fine of \$250,000, supervised release for life, and a \$100 special assessment. Crites is charged in Count II with possession of child pornography from on or about October 16, 2008. The maximum possible penalty for this count includes imprisonment of 10 years, a \$250,000 fine, supervised release for life, and a \$100 special assessment. A third count of the indictment alleges a computer and disks were used or intended to be used as part of this violation should be forfeited to the United States.
- * **Kyle A. Daugherty**, age 28, of Omaha, and **Donnie L. Marco**, age 44, of Omaha, were charged in a three count indictment. Count I alleges that from an unknown date but at least as early as April 1, 2009, and continuing through May 11, 2009, the defendants conspired together and with others to manufacture and attempt to manufacture 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Count II alleges on or about May 11, 2009, the defendants possessed equipment, chemical product and material which may be used to manufacture a controlled

substance, to wit: Coleman fuel, Muriatic Acid, drain cleaner, coffee filters, tubing, and Sudafed pills, knowing, intending, and having reasonable cause to believe they would be used to manufacture a controlled substance. The maximum possible penalty includes imprisonment of up to 10 years, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment. Count III alleges on or about May 11, 2009, the defendants possessed pseudoephedrine, knowing and having reasonable cause to believe the pseudoephedrine would be used to manufacture a controlled substance. The maximum possible penalty includes imprisonment of up to 20 years, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment.

- * **Rigoberto Espinoza-Raya**, age 33, of Lincoln, is charged in an indictment alleging that on or about November 15, 2008, Espinoza-Raya misused a social security number to open a bank account at the TierOne Bank in Lincoln. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.
- * **Jerry L. Gorisek**, age 38, of Mitchell, Nebraska, was charged in a five count indictment. Count I alleges on or about June 29, 2009, the defendant possessed with the intent to distribute more than 50 grams but less than 500 grams of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Count II alleges on or about June 29, 2009, the defendant possessed with intent to distribute less than 500 grams of a mixture or substance containing a detectable amount of cocaine. The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment. Count III alleges the defendant, who was previously convicted of a felony, was in possession of a Smith and Wesson .40 caliber handgun, a Marlin lever action model 336CS 30/30 rifle, a Mossberg model 46B-B lever action .22 caliber rifle, and a Glenfield model 60 .22 caliber long rifle on or about June 29, 2009. The maximum possible penalty includes imprisonment for up to 10 years, a fine of \$250,000 fine, a 3 year term of supervised release, and a \$100 special

assessment. Count IV alleges upon conviction of the offense set out in Count III, any and all interest the defendant has in the Smith and Wesson .40 caliber handgun, Marlin lever action model 336CS 30/30 rifle, Mossberg model 46B-B lever action .22 caliber rifle and Glenfield model 60 .22 caliber long rifle should be forfeited to the United States. Count V alleges the \$689.00 in United States currency seized from the defendant on June 29, 2009, was used or intended to be used to commit and to facilitate the drug offenses set out in Counts I and II and any and all interest the defendant has in the United States currency should be forfeited to the United States.

- * **Nicole L. Hatten**, age 25, of Omaha, is charged with being a felon in possession of a firearm and ammunition on or about June 15, 2009. Hatten was convicted of attempted theft by receiving stolen property valued at more than \$1,500 in 2007. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, 3 years of supervised release, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by Hatten should be forfeited to the United States.
- * **Michael J. Hindera**, age 55, of Lincoln, is charged in a four-count indictment. Counts I through III allege on various dates between on or about August 27, 2007, and on or about February 1, 2008, Hindera forged and altered Postal Service money orders. The maximum possible penalty for each count if convicted, includes imprisonment of 5 years, a fine of \$250,000, 3 years of supervised release, and a \$100 special assessment. Count IV of the indictment charges on or about August 21, 2007, to on or about May 6, 2008, Hindera stole letters and other mail containing United States Postal Service Money Orders. The maximum possible penalty, includes imprisonment of 5 years, a fine of \$250,000, followed by 3 years of supervised release, and a \$100 special assessment.
- * **Gabino Huerta-Navarrete**, age 44, is charged with illegal reentry into the United States on or about June 18, 2009, following deportation as a felon. The maximum possible penalty is imprisonment 10 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.
- * **Juan Huerta-Navarrete**, age 38, of Omaha, is charged with illegal reentry into the United States on or about June 25, 2009, following conviction for an aggravated felony.

The maximum possible penalty is imprisonment 20 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.

- * **Jerrell Jackson**, age 19, of Omaha, is charged with being a felon in possession of a firearm on or about April 17, 2009. Jackson was convicted of attempted assault. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, 3 years of supervised release, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by Jackson should be forfeited to the United States.
- * **Shannon B. Jackson**, age 34, and **Michael D. McCroy**, age 35, both of Omaha, are charged in count one of a five-count indictment with conspiracy to commit bank robbery involving the First National Bank, 2008 Pratt Avenue, Bellevue, Nebraska on or before March 13, 2009. The maximum possible penalty includes imprisonment for 5 years, a fine of \$250,000, a 3 year term of supervised release, and a special assessment of \$100. Count II of the Indictment charges Jackson and McCroy with bank robbery on or about March 13, 2009. The maximum possible penalty, if convicted, includes 25 years imprisonment, a fine of \$250,000, a 5 year term of supervised release, and a \$100 special assessment. Count III of the indictment alleges Jackson and McCroy brandished a firearm during the course of the bank robbery charged in Count II. The maximum penalty for this count includes consecutive imprisonment of not less than 7 years to life, a \$250,000 fine, 5 years of supervised release, and a \$100 special assessment. Count IV of the Indictment charges Jackson with bank robbery of TierOne Bank, 3010 North 90th Street, Omaha, Nebraska, on or about October 30, 2008. The maximum possible penalty, if convicted, includes 20 years imprisonment, a fine of \$250,000, a 3 year term of supervised release, and a \$100 special assessment. Count V of the indictment alleges Jackson brandished a firearm during the course of the bank robbery charged in Count IV. The maximum penalty for this count includes consecutive imprisonment of not less than 25 years to life, a \$250,000 fine, 5 years of supervised release, and a \$100 special assessment.
- * **Kevin E. Jones**, age 23, of Omaha, was charged in a six count indictment. Counts I, II, and III, allege on or about May 11, 2009, May 13, 2009, and May 18, 2009, the defendant

distributed a mixture or substance containing a detectable amount of marijuana. The maximum possible penalty for each count includes imprisonment of up to 5 years, a \$250,000 fine, a 3 year term of supervised release and a \$100 special assessment. Count IV alleges beginning from an unknown date but at least as early as on or about March, 2008, and continuing through on or about May 18, 2009, the defendant conspired with others to distribute and possess with intent to distribute a mixture or substance containing a detectable amount of marijuana. The maximum possible penalty includes imprisonment of up to 5 years, a \$250,000 fine, a 3 year term of supervised release and a \$100 special assessment. Count V alleges beginning from an unknown date but at least as early as on or about March, 2008, and continuing through on or about May 18, 2009, the defendant used and carried a Ruger .38 special revolver in relation to and in furtherance of the offense set out in Count IV. The maximum possible penalty includes imprisonment of not less than 5 years and up to life to be served consecutive to any other sentence imposed, a \$250,000 fine, a 5 year term of supervised release and a \$100 special assessment. Count IV alleges the \$6,340.00 in United States currency seized from the defendant's residence on May 18, 2009, was used or intended to be used to commit and to facilitate the drug offenses set out in Counts I, II, III, and IV, or constitute proceeds derived from the drug offenses set out in Counts I, II, III, and IV, and any and all interest the defendants have in the United States currency should be forfeited to the United States.

- * **Jose Lopez Torres**, age 60, of Santanguin, Utah, was charged with possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine on or about June 10, 2009. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.
- * **Jushan Fernold Malone**, also known as D-Bo, age 41, of Cordova, Tennessee, was charged in an eight count indictment. Count I alleges between on or about December 1, 2008, and on or about March 25, 2009, the defendant conspired to distribute and possess with intent to distribute 50 grams or more of a mixture of substance containing a detectable amount of crack cocaine. The maximum possible penalty includes

imprisonment of at least 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment. Counts II, III, IV, VI, VIII allege on or about March 5, 2009, March 12, 2009, March 22, 2009, March 24, 2009, and March 25, 2009, the defendant distributed and possessed with intent to distribute a mixture or substance containing a detectable amount of crack cocaine. The maximum possible penalty on each count includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment. Count V alleges on or about March 23, 2009, the defendant distributed and possessed with intent to distribute a mixture or substance containing a detectable amount of cocaine. The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment. Count VIII alleges the \$820.00 in United States currency seized from the defendant on March 25, 2009, was used or intended to be used to commit and to facilitate the drug offenses set out in Counts I and VII and any and all interest the defendant has in the United States currency should be forfeited to the United States.

- * **Julio Mariano-Diaz**, age 33, of Omaha, is charged with possession of a firearm by an illegal alien on or about May 26, 2009. The penalty for this count includes imprisonment of 10 years, a fine of \$250,000, a 3 year term of supervised release, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by Mariano-Diaz should be forfeited to the United States.
- * **Eduardo Mejia-Palma**, age 24, is charged in an indictment alleging he illegally reentered the United States on or about June 25, 2009, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release and a \$100 special assessment.
- * **Romando Morse**, age 32, of Omaha, was charged with possession of 5 grams or more of a mixture or substance containing a detectable amount of crack cocaine on or about June 24, 2009. The maximum possible penalty includes imprisonment of not less than 5 years and up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment.

- * **Oscar Pena-Decena**, age 29, is charged in a four-count indictment. Count I of the indictment charges Pena-Decena with fraud and misuse of visas, permits and other documents on or about May 28, 2009. The maximum possible penalty for this count includes imprisonment of 10 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II of the indictment charges Pena-Decena with aggravated identity theft on or about May 28, 2009. The penalty includes a mandatory minimum sentence of imprisonment for 2 years consecutive to any other term of imprisonment imposed on the first count of the indictment, a \$250,000 fine, 1 year of supervised release and a \$100 special assessment. Count III alleges Pena-Decena provided a false Social Security Number to obtain a benefit or the Immigration and Nationality Act on or about October 10, 2006. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, a term of supervised release of 1 year, and a special assessment of \$100. Count IV of the indictment alleges Pena-Decena falsely represented himself to be a citizen of the United States on or about May 28, 2009. The maximum penalty for this count includes imprisonment of 3 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.
- * **Donnell L. Pierce**, age 21, of Omaha, is charged with being a felon in possession of a firearm on or about May 13, 2009. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, 3 years of supervised release, and a special assessment of \$100. Pierce was charged in Count II of the indictment with possession of an unregistered firearm, a shotgun with a barrel less than 16 inches in length, on or about May 13, 2009. The maximum possible penalty includes imprisonment for 10 years, a fine of \$250,000, a term of supervised release of 3 years, and a \$100 special assessment. Count III of the indictment alleges the firearm possessed by Pierce should be forfeited to the United States.
- * **Alfredo Ponce-Gonzalez**, age 21, was charged with illegal reentry into the United States on or about July 1, 2009, after deportation or removal following a conviction for an aggravated felony. The maximum possible penalty if convicted includes imprisonment of

up to 20 years, a \$250,000 fine, 3 years of supervised release and a \$100 special assessment.

- * **Lynn Pretends Eagle**, age 42, of Valley, Nebraska, was charged in a two count indictment with concealing a person from arrest on or about December 6, 2008, and on or about June 30, 2009, respectively. The maximum possible penalty for each count includes imprisonment of not more than 5 years, a \$250,000 fine, a 3 year term of supervised release and a \$100 special assessment.
- * **Roberto Alvarez Sanchez**, also known as Roberto Alvarez, age 41, of Lincoln, was charged in a one count indictment with conspiracy to distribute methamphetamine. The indictment alleges between on or about May 20, 2009, and on or about June 3, 2009, the defendant conspired with others to distribute and possess with intent to distribute 50 grams or more of actual methamphetamine. The maximum possible penalty includes imprisonment of at least 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.
- * **Natividad Sarabia**, age 46, of Salt Lake City, Utah, was charged with possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine on or about April 19, 2009. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.
- * **Keith B. Stewart**, age 43, of Omaha, was charged with possession with intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of cocaine base on or about March 11, 2009. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment.
- * **Shawn A. Stewart**, age 26, of Omaha, and **Andrea N. Tourek**, age 29 of Omaha, were charged in a four count indictment. Count I alleges beginning from an unknown date but at least as early as on or about October 2008, and continuing through on or about November 2008, the defendants conspired together and with others to distribute and possess with intent to distribute 50 grams or more of a mixture or substance containing a

detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of at least 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Counts II, III, IV allege on or about October 20, 2008, November 7, 2008, and November 10, 2008, the defendants distributed less than 50 grams of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty on each count includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment.

- * **Troy Stuart, Sr.**, age 45, of Omaha, is charged with being a felon in possession of a firearm on or about May 15, 2009. Stuart was convicted of theft by receiving stolen property more than \$500 in 1999. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, 3 years of supervised release, and a special assessment of \$100.
- * **Jeff Trammell**, age 22, of Sioux City, Iowa, is charged with being a felon in possession of a firearm on or about May 11, 2009. Trammell was convicted of theft in the 2nd degree in 2005. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, 3 years of supervised release, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by Trammell should be forfeited to the United States.
- * **Lee Vang**, age 31, of St. Paul, Minnesota, and **Yer Yang**, age 29, of Sacramento, California, were charged in a two count indictment. Count I alleges on or about May 1, 2009, the defendants possessed with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine and a mixture or substance containing a detectable amount of marijuana. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$4 million fine, a 5 year term of supervised release and a \$100 special assessment. Count II alleges the \$1,287.00 in United States currency seized from the defendants was used or intended to be used to commit and to facilitate the drug offense set out in Count I or constitute proceeds derived

from the drug offense set out in Count I and any and all interest the defendants have in the United States currency should be forfeited to the United States.

- * **Julian Vega-Lopez**, age 35, was charged in a three count indictment. Count I alleges the defendant possessed with intent to distribute 500 grams of a mixture or substance containing a detectable amount of cocaine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$4 million fine, a 4 year term of supervised release and a \$100 special assessment. Count II alleges the defendant illegally reentered the United States on or about July 1, 2009, after deportation or removal following a conviction for an aggravated felony. The maximum possible penalty if convicted includes imprisonment of up to 20 years, a \$250,000 fine, 3 years of supervised release and a \$100 special assessment. Count III alleges the defendant possessed with intent to distribute less than 50 kilograms of marijuana. The maximum possible penalty includes imprisonment of up to 5 years, a \$250,000 fine, a 3 year term of supervised release and a \$100 special assessment.
- * **Terries M. White**, age 20, of Omaha, is charged with being a felon in possession of a firearm on or about June 21, 2009. White was convicted of possession of amphetamine with intent to deliver in 2007. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, 3 years of supervised release, and a special assessment of \$100. Count II of the indictment alleges the firearm possessed by White should be forfeited to the United States.